

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

Miami Valley Fair Housing Center, Inc., et al.,

Plaintiffs,

v.

Case No. 3:17cv-248
Judge Thomas M. Rose

A. Ray Brown Family Investment LP, et al.,

Defendants.

**ORDER GRANTING PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER. DOC. 3**

The Court held a telephonic hearing August 2, 2017 to hear arguments on Plaintiffs' Motion for Temporary Restraining Order. The parties described a situation in which Plaintiff Sonny Cornett's rights under the Fair Housing Act, 42 U.S.C. sec. 3600, et seq., are threatened.

In determining whether to issue a temporary restraining order under Rule 65 of the Federal Rules of Civil Procedure, a court is to consider: 1) whether the movant has shown a strong or substantial likelihood of success on the merits; 2) whether irreparable harm will result without an injunction; 3) whether issuance of a preliminary injunction will result in substantial harm to others; and 4) whether the public interest is advanced by the injunction. *Michigan State AFL-CIO v. Miller*, 103 F.3d 1240, 1249 (6th Cir. 1997).

First, the Court holds that Cornett has shown a strong or substantial likelihood of success on the merits. Second, the Court holds that Cornett will suffer irreparable harm without the temporary restraining order. Specifically, Cornett would be forced to find another place to live

and move the contents of her apartment in an extremely short period of time while suffering severe health problems that include the possibility of death from exposure to heat. Third, the Court holds that the issuance of a temporary restraining order will not result in substantial harm to others. Indeed, the Court finds that issuing a temporary restraining order would serve the public interest by upholding the goals of the Fair Housing Act. As such, Plaintiffs' motion for a temporary restraining order, doc. 3, is **GRANTED**. Defendants are hereby enjoined from evicting Cornett from 1723-05 E. Dorothy Lane Kettering, OH 45429 until August 14, 2017 at 9:30 a.m.

No bond is required at this time.

The Court will conduct a preliminary injunction hearing on this matter on August 14, 2017 at 9:30 a.m. A telephone conference will be held August 8, 2017 at 10:30 a.m.

DONE and **ORDERED** in Dayton, Ohio, this Friday, August 4, 2017.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE